

Unto the Right Honourable the Lords of Council and Session,

T H E

Petition and Claim

O F

GEORGE LOCKHART of Carnwath, Esq;

Humbly sheweth,

THAT James Marquis of Douglas, Earl of Angus, &c. as Heir served and retoured to the deceas'd Archibald Earl of Angus his Father, stood infest by Charter under the Great Seal, of this Date, *in totis & integris terris & baronia de Braidwood*, comprehending the particular Lands therein mentioned, *cum libertate & privilegio liberæ regalitatis infra integras bondas dictæ baroniæ de Braidwood. Quæ quidem terræ & baronia de Braidwood, &c. cum prædicta libertate & privilegio liberæ regalitatis*, are therein said to have pertained heritably of before to John Earl of Lauderdale, and to have been resigned by him in the Crown's Hands, in favours and for new Infestment thereof, to be granted to the said Archibald Earl of Angus, and his Heirs. 1673.

The aforesaid Lands and Barony of Braidwood, with the aforesaid Right and Jurisdiction of Regality, were, by Disposition, of this Date, conveyed by the said James Marquis of Douglas to Sir George Lockhart of Carnwath, who was thereupon infest; and, in the same Year 1681, obtained a Charter under the Great Seal, ratifying and confirming the aforesaid Disposition by James Marquis of Douglas, with the Infestment thereon. 1681.

That your Petitioner's Father stood infest in the Premises, upon his special Service and Retour, as Heir to the aforesaid Sir George Lockhart his Father, dated 24th May 1690.

And, in the Year 1721, having executed a Disposition of Tailzie of his whole Lands and Estate, and, amongst others, of the Lands and Regality of Braidwood, in favours of your Petitioner, and the other Heirs of Tailzie therein mentioned; your Petitioner stands likewise infest in the Premises, upon a Charter under the Great Seal following upon the aforesaid Tailzie. 1721.

That, by virtue of these Titles, your Petitioner, his Father and Grandfather, since the Date of the Purchase from James Marquis of Douglas, have continued to exerce this Regality-jurisdiction, by holding of Regality-courts, by the Bailie's having special Commissions for that Purpose.

That your Petitioner being now deprived of this Jurisdiction, which his Grandfather purchased for a valuable Consideration, by the late Statute abolishing and taking away the heritable Jurisdictions in Scotland; and your Petitioner being intitled by the same Statute to demand your Lordships Opinion touching the Value and Price of such Jurisdiction, in order to his obtaining a just Recompence and Satisfaction therefor: And, in order thereto, it being necessary that a Claim should be preferred to your Lordships, your Petitioner, however unwilling to have parted with this Jurisdiction, being the only one of the kind of which he is possessed, takes the Liberty to claim L. 1000 Sterling as the just Value and Price thereof.

May it therefore please your Lordships, to find your Petitioner lawfully possessed of, and intitled to this Regality-jurisdiction; to declare your Opinion, that the Value and Price thereof is or should be L. 1000 Sterling; and to certify this your Opinion to his Majesty in his Privy Council: And though your Petitioner humbly hopes he shall have no Occasion for any further Production than the Rights above mentioned, yet as the original Titles and Rights of this Regality were not delivered up at the Purchase in the 1681, and therefore are supposed to be still in the Possession of the Duke of Douglas, Earl of Lauderdale, or one or other of them, as representing their respective Predecessors, or their Agents and Doers, to grant Diligence, at your Petitioner's Instance, for recovering the same, to be reported against the 1st December next.

According to Justice, &c.

ALEX. LOCKHART.